



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,084	05/23/2002	Rolf Steiner	20 99 0025	9104
7590 06/14/2006				
Paul D Greeley Ohlandt Greeley Ruggiero & Perle 10th Floor One Landmark Square Stamford, CT 06901-2682			EXAMINER ETTEHADIEH, ASLAN	
			ART UNIT 2611	PAPER NUMBER
DATE MAILED: 06/14/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,084

Applicant(s)

STEINER, ROLF

Examiner

Aslan Ettehadieh

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 – 15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boze (US 5416847) in view of Kirkpatrick (US 6744833).
2. Regarding claim 1, Boze discloses method for correcting a measured signal transmitted through a system (col 1 lines 11 – 13 and col 3 lines 44 – 48, where the reduction of noise is being interpreted as correcting a signal), said method comprising: sampling said measured signal to yield a sampled signal sequence (col 4 lines 53 – 60; where the output of element 15 is being interpreted as a sampled signal sequence); windowing said signal series with a window function to yield a windowed signal series (col 13 line 62 – col 14 line 2; where output of the window function is being interpreted as a windowed signal series); and recalculating a corrected measured signal from said windowed signal series using information about a frequency-dependency of said system (col 13 line 58 – col 2 line 18). Boze does not disclose reproducing said sampled signal

sequence to yield a plurality of copies of said sampled signal sequences and appending said plurality of copies to one another to yield a signal series

In the same field of endeavor, however, Kirkpatrick discloses reproducing said sampled signal sequence to yield a plurality of copies of said sampled signal sequences and appending said plurality of copies to one another to yield a signal series (figure 2, abstract, col. 1 lines 41 – 49, col. 1 line 66 – col. 2 line 22, claim 1).

Therefore it would have been obvious to one skilled in the art at the time of invention was made to use reproducing said sampled signal sequence to yield a plurality of copies of said sampled signal sequences and appending said plurality of copies to one another to yield a signal series as taught by Kirkpatrick in the system of Boze to assure stability (abstract).

3. Regarding Claim 2, Boze further discloses wherein said recalculating a corrected measured signal from said windowed signal further comprises: transforming said windowed signal series from a time domain into frequency domain to yield a transformed signal series (figure 4 elements 75 and 87 and col 1 line 58 – col 2 line 18; where output of the window function is being interpreted as a transformed signal series); modifying said transformed signal series with a transfer function as a function of frequency of said system to yield a modified transformed signal series (col 1 lines 20 – 38, col 1 line 58 – col 2 line 18, col 14 lines 21 – 30, figure 4 elements 81, 89; where output element 89 is being interpreted as a modified transformed signal series); re-transforming said modified transformed signal series back from said frequency domain into said time domain to yield a modified re-transformed signal series (figure 4 element

89; where output of element 89 is being interpreted as a modified re-transformed signal series), and receiving said corrected measured signal from said re-transformed signal series (figure 4 elements 89 and 73).

4. Regarding Claim 3, Boze further discloses wherein said recalculating a corrected measured signal from said windowed signal (figure 4 elements 75 and 87) signal further comprises modifying said corrected measured signal with a function inverse to said window function (figure 4 elements 89 and 73).

5. Regarding Claim 4, Boze further discloses wherein said receiving said corrected measured signal from said re-transformed signal series further comprises selecting a corrected signal sequence from said re-transformed signal series substantially corresponding to said sampled signal sequence (col 3 line 50 – col 4 line 2, col 13 line 53 – col 4 line 2, and col 8 lines 31 – 33).

6. Regarding Claim 5, Boze further discloses wherein said selected corrected signal sequence is selected substantially from a middle range of said re-transformed signal series (col 1 line 65 – col 2 line 2 and col 13 lines 62 – 68).

7. Regarding Claim 6, Boze further discloses wherein said sampling said measured signal is executed by a measuring device (Figure 4 element 15) at a highest accuracy provided by said measuring device (one skilled in the art at the time in the invention would analyze the a/d converter of Boze would convert an analog signal to a digital signal by measuring the signal with a highest accuracy).

8. Regarding claim 7, Boze discloses a method for correcting a measured signal transmitted through a system (col 1 lines 11 – 13 and col 3 lines 44 – 48, where the

Art Unit: 2611

reduction of noise is being interpreted as correcting a signal) having a transfer function as a function of frequency (col 1 lines 33 – 38), said method comprising: sampling said measured signal to yield a sampled signal sequence (col 4 lines 53 – 60; where the output of element 15 is being interpreted as a sampled signal sequence); windowing said signal series with a window function to yield a windowed signal series (col 13 line 62 – col 14 line 2; where output of the window function is being interpreted as a windowed signal series); transforming said windowed signal series from a time domain into frequency domain to yield a transformed signal series (figure 4 elements 75 and 87 and col 1 line 58 – col 2 line 18; where output of the window function is being interpreted as a transformed signal series); modifying said transformed signal series with a transfer function as a function of frequency of said system to yield a modified transformed signal series (col 1 lines 20 – 38, col 1 line 58 – col 2 line 18, col 14 lines 21 – 30, figure 4 elements 81, 89; where output element 89 is being interpreted as a modified transformed signal series); re-transforming said modified transformed signal series back from said frequency domain into said time domain to yield a modified re-transformed signal series (figure 4 element 89; where output of element 89 is being interpreted as a modified re-transformed signal series), and receiving said corrected measured signal from said re-transformed signal series (figure 4 elements 89 and 73). Boze does not disclose reproducing said sampled signal sequence to yield a plurality of copies of said sampled signal sequences and appending said plurality of copies to one another to yield a signal series

In the same field of endeavor, however, Kirkpatrick discloses reproducing said sampled signal sequence to yield a plurality of copies of said sampled signal sequences and appending said plurality of copies to one another to yield a signal series (figure 2, abstract, col. 1 lines 41 – 49, col. 1 line 66 – col. 2 line 22, claim 1).

Therefore it would have been obvious to one skilled in the art at the time of invention was made to use reproducing said sampled signal sequence to yield a plurality of copies of said sampled signal sequences and appending said plurality of copies to one another to yield a signal series as taught by Kirkpatrick in the system of Boze to assure stability (abstract).

9. Regarding claim 8, Boze discloses a method for providing a measured signal (output of element 15 of figure 4) for further processing, said method comprising: sampling said measured signal to yield a sampled signal sequence (col 4 lines 53 – 60; where the output of element 15 is being interpreted as a sampled signal sequence); processing said signal series to determine a characteristic of said measured signal (col. 1 line 20 – col. 2 line 18; where the use of the Fourier Analysis is used in processing signal(s) to determine a characteristic(s) of signal(s)). Boze does not disclose reproducing said sampled signal sequence to yield a plurality of copies of said sampled signal sequences and appending said plurality of copies to one another to yield a signal series

In the same field of endeavor, however, Kirkpatrick discloses reproducing said sampled signal sequence to yield a plurality of copies of said sampled signal sequences

and appending said plurality of copies to one another to yield a signal series (figure 2, abstract, col. 1 lines 41 – 49, col. 1 line 66 – col. 2 line 22, claim 1).

Therefore it would have been obvious to one skilled in the art at the time of invention was made to use reproducing said sampled signal sequence to yield a plurality of copies of said sampled signal sequences and appending said plurality of copies to one another to yield a signal series as taught by Kirkpatrick in the system of Boze to assure stability (abstract).

10. Regarding claim 9, the method claimed as a software is nothing more than restating the function of the specific components of the method as claimed above and therefore, it would have been obvious, considering the aforementioned rejection for the method claim 1.

11. Regarding claim 10, the steps claimed as apparatus is nothing more than restating the function of the specific components of the method as claims above and therefore, it would have been obvious, considering the aforementioned rejection for the method claim 1.

12. Regarding claim 11, the steps claimed as apparatus is nothing more than restating the function of the specific components of the method as claims above and therefore, it would have been obvious, considering the aforementioned rejection for the method claim 1.

13. Regarding Claim 12, Boze further discloses wherein said measured signal is a high speed (col 6 lines 60 – 61) digital pulse (col 2 lines 11 – 12).

14. Regarding Claim 13, Boze further discloses wherein said measured signal is a high speed (col 6 lines 60 – 61) digital pulse (col 2 lines 11 – 12).

15. Regarding Claim 14, Boze further discloses wherein said measured signal is a high speed (col 6 lines 60 – 61) digital pulse (col 2 lines 11 – 12).

16. Regarding Claim 15, Boze further discloses wherein said measured signal is a high speed (col 6 lines 60 – 61) digital pulse (col 2 lines 11 – 12).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a) necessitated by the applicant's amended claims.

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aslan Ettehadieh whose telephone number is (571) 272-8729. The examiner can normally be reached on Monday - Friday, 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammed Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aslan Ettehadieh
Examiner
Art Unit 2637

AE


MOHAMMED GHAYOUR
SUPERVISORY PATENT EXAMINER